

Stuart M. Steinberg, Esq.
New York Bar No. SS-6614
Steinberg, Fineo, Berger & Fischhoff, P.C.
401 Broadhollow Road
Melville, New York 11747
Telephone: (631) 715-4160
Facsimile: (631) 715-4186
Email: ssteinberg@sfbblaw.com

Michael R. Mushkin, Esq.
Nevada State Bar No. 2421
Harmon, Davies, & Mushkin
4475 South Pecos Road
Las Vegas, Nevada 89121
Telephone: (702) 386-3999
Facsimile: (702) 388-0617
Email: michael@hdm-law.com

Attorneys for Defendant Jack Solomon

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JUDY GOFFMAN CUTLER,

Plaintiff,

-against-

ART LOSS REGISTER, INC., and
JACK SOLOMON,

Defendants.

07 CV 3807 (LAP)

PLEASE TAKE NOTICE that upon the annexed affirmation of Stuart M. Steinberg, Esq., dated August 2, 2007, the exhibits annexed thereto, and the accompanying memorandum of law, defendant Jack Solomon will move this Court at the United States Courthouse, United States District Court, Southern District of New York, Hon. Loretta A. Preska, United States District Judge, in Courtroom 1320, 500 Pearl Street, New York, New York, 10007 on August 16, 2007 at 9:30 a.m. or such other date as determined by the Court, for an order, pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, dismissing Plaintiff's Amended Complaint with prejudice against this Defendant, and for such other and further relief as this Court deems just and proper.

1 DATED: August 2, 2007.

2
3 By: 

4 STUART M. STEINBERG, ESQ.
5 New York Bar No. SS-6614
6 Steinberg, Fineo, Berger & Fischhoff, P.C.
7 401 Broadhollow Road
8 Melville, New York 11747

9 MICHAEL R. MUSHKIN, ESQ.
10 Nevada State Bar #2421
11 Harmon, Davies, & Mushkin
12 4475 South Pecos Road
13 Las Vegas, Nevada 89121

14 Attorneys for Defendant Jack Solomon
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Stuart M. Steinberg, Esq.
New York Bar No. SS-6614
Steinberg, Fineo, Berger & Fischhoff, P.C.
401 Broadhollow Road
Melville, New York 11747
Telephone: (631) 715-4160
Facsimile: (631) 715-4186
Email: ssteinberg@sfbblaw.com

Michael R. Mushkin, Esq.
Nevada State Bar No. 2421
Harmon, Davies, & Mushkin
4475 South Pecos Road
Las Vegas, Nevada 89121
Telephone: (702) 386-3999
Facsimile: (702) 388-0617
Email: michael@hdm-law.com

Attorneys for Defendant Jack Solomon

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JUDY GOFFMAN CUTLER,

Plaintiff,

07 CV 3807 (LAP)

-against-

ART LOSS REGISTER, INC., and
JACK SOLOMON,

AFFIRMATION
IN SUPPORT

Defendants.

-----X

STUART M. STEINBERG, ESQ., an attorney duly admitted to practice law before
this Court, affirms as follows:

1. I am a partner with the firm of Steinberg, Fineo, Berger & Fischhoff, P.C.,
attorneys for defendant Jack Solomon in the above-captioned action. I respectfully submit
this affirmation in support of Mr. Solomon's motion to dismiss this matter as against him

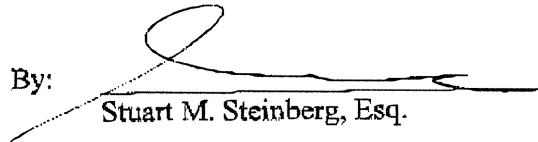
in order to put the following exhibits before the Court that are relevant to such motion:

- A true and correct copy of plaintiff's Amended Complaint is annexed hereto as Exhibit A.
- A true and correct copy of the Interpleader Counterclaim complaint in the action pending in the United States District Court, District of Nevada is annexed hereto as Exhibit B.

WHEREFORE, it is respectfully requested that defendant's motion to dismiss be granted in its entirety.

Dated: Woodbury, New York
August 2, 2005

By:



Stuart M. Steinberg, Esq.